

Property & Liability Outreach

Produced by Department of Administration Bureau of State Risk Management

August 2017
FY18, Quarter 1

[P&L Manual Link](#)



[Vehicle Glass Repair and Replacement Instructions Link](#)

We just finished a Request for Bids (RFB) process for Vehicle Glass Repair and Replacement. Safelite was once again chosen to be our contractor for these services. The contract # and other contact information stays the same for Safelite. Click on the link above to see the Vehicle Glass Repair and Replacement Instructions we updated last fall.

[Paid Property Claims](#)

Auto	Auto
<u>FY16 Total</u>	<u>FY17 Total</u>
\$523,594	\$414,415
Property w/o Auto	Property w/o Auto
<u>FY16 Total</u>	<u>FY17 Total</u>
\$7,162,546	\$4,628,522

Welcome

Hello and welcome to our fifth issue. We just finished up a challenging insurance renewal for FY18. We had a flat (1.55% overall decrease in premium) renewal for excess property coverage with the addition of some limited chemical, biological, radiological, and nuclear property coverage added to the program. Due to a combination of market factors and recent liability claims our overall excess liability premium nearly doubled over last FY. Both our excess property and excess liability retentions and limits remained the same.

-Contributor Andy Jennings

This month we are going to spotlight our main insurance broker, Kenn Anderson, from Aon. Kenn has worked with the State since joining Aon in 2000 and has had primary responsibility for serving the State and the UW System with risk management and insurance services since 2012. Kenn enjoys the broad array of risk and insurance issues the State faces and being able to work with his colleagues to assist the State in a variety of areas. Some of the more interesting risk issues over the years include crop insurance, evolving cyber liability risks, complicated property claims, fine art damages, drone/unmanned aircraft system (UAS) risks and safety and insurance risks for large DOT projects.

-Kenn Anderson



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Timely Reporting

Timely Reporting of property damage is not only important in private insurance, but also with our self-funded property program. It is essential that not only agency risk personnel report the claim in a timely manner, but also that departments or divisions report to agency risk personnel as soon as possible. When a particularly large loss occurs, it is imperative that mitigation takes place as soon as possible to prevent further damages and additional costs. The Bureau of State Risk Management (BSRM) has compiled a list of emergency response vendors that are readily available and equipped to handle several types of property losses, which can be found by following the link below.

After mitigation has been addressed, the next step is to contact Dave Brown with Cunningham & Lindsey, BSRM, or UW System Administration Risk. Dave Brown, as most of you know, is the State's third-party administrator who adjusts most of the losses over \$10,000. Dave is an essential part to controlling claims' costs and can be most effective when contacted right away. When divisions or departments report losses to agency risk management right away, this allows adequate time to obtain estimates and lessens the down or lost time that the loss may have caused.

[Emergency Response Contractors](#)

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These factors mentioned above can have a large impact on claims cost and claims financing. Having knowledge of and proper reserves on property losses assists BSRM in accurate budgeting for the property program, ultimately impacting the annual premiums charged back to agencies. In playing an active role in ensuring that property losses are reported timely, you too can help control claims costs and hopefully reduce premium increases.

-Contributor Olivia Johnson

Liability Liaise

This quarter's topic is Recreational Immunity. Not only does the State of Wisconsin benefit from the doctrine of sovereign immunity (which has been discussed in a previous newsletter), it benefits from Recreational Immunity as well. Per Wisconsin State Statute [895.52](#) Recreational activities; limitation of property owner's liability section (g) states: "Recreational activity" means any outdoor activity undertaken for the purpose of exercise, relaxation or pleasure, including practice or instruction in any such activity.

While not an exhaustive list, "recreational activity" includes hunting, fishing, trapping, camping, picnicking, exploring caves, nature study, bicycling, horseback riding, bird-watching, motorcycling, operating an all-terrain vehicle or utility terrain vehicle, operating a vehicle, as defined in s. [340.01 \(74\)](#), on a road designated under s. [23.115](#), recreational aviation, ballooning, hang gliding, hiking, tobogganing, sledding, sleigh riding, snowmobiling, skiing, skating, water sports, sight-seeing, rock-climbing, cutting or removing wood, climbing observation towers, animal training, harvesting the products of nature, participating in an agricultural tourism activity, sport shooting and any other outdoor sport, game or educational activity. "Recreational activity" does not include any organized team sport activity sponsored by the owner of the property on which the activity takes place.

Agents of the State of Wisconsin are immune from liability when any person enters state property to engage in a recreational activity. However, recreational immunity does not limit the liability of an officer, employee or agent of the state or of any of its agencies for either of the following:

- (a) A death or injury that occurs on property of which this state or any of its agencies is the owner at any event for which the owner charges an admission fee for spectators.
- (b) A death or injury caused by a malicious act or by a malicious failure to warn against an unsafe condition of which an officer, employee or agent knew, which occurs on property designated by the department of natural resources under s. 23.115 or designated by another state agency for a recreational activity.

If you should encounter an instance in which you feel Recreational Immunity may be involved, please refer to Wisconsin State Statute 895.52 or contact the Bureau of State Risk Management. If you are interested in learning more about Recreational Immunity, please contact me.

- Contributor Bradley Templin

Experts Corner

Dave Brown

Company: **Cunningham Lindsey**

Position: **Regional General Adjuster**

Hello everyone! It has certainly been a challenging year with the storm activity in Wisconsin. We have seen pretty much everything Mother Nature can provide and she hasn't been very kind this year. Given nature of the type of events, I would like to take this opportunity to remind everyone that our primary concern is emergency services to prevent further damage. Hot, humid and water can equal mold, and the best way to address this is to prevent it, or to do everything we can to do so. On the Bureau of State Risk Management website is a list of the emergency remediation contractors throughout the State. All these personnel are aware of our needs and requirements, and will respond after hours. It is, of course, important to properly and timely report claims to BSRM, but please do not wait for us to respond before making that initial call to one of these companies if needs dictate. I am always available, my cell is 608-572-4407, so if Mother Nature dumps on you after hours or on the weekend, call me and I will certainly assist with questions and/or information needed. Thanks



Paid Liability Claims

FY16

FY17

\$4,995,768

\$5,943,627

Open Claim Counts

August 2017

Auto General
26 13

Civil Rights Environmental
190 2

Medical Malpractice
47

Professional
8

Employment Practices
27

Total
313

Website:
[P&L Webpage](#)

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